

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TRUCK INSURANCE EXCHANGE,

No. C 06-4573 CRB (MEJ)

Plaintiff(s),

**ORDER VACATING DISCOVERY
HEARING**

vs.

ATLANTIC MUTUAL INSURANCE CO.,

Defendant(s).

Before the Court is the parties' joint discovery dispute letter regarding Plaintiff's motion to compel the production of certain documents from Defendant. (Dkt. #38.) After reviewing the letter, the Court ordered the parties to appear for a discovery hearing on March 26, 2009. However, on March 25, one day prior to the hearing and contrary to the undersigned's discovery standing order, Plaintiff filed a Request for Judicial Notice, (Dkt. #87), and Defendant filed a letter in response (Dkt. #88).

Upon review of the new filings, and given the February 13, 2009 Case Management Conference at which Judge Breyer may have resolved some of the issues raised in the parties' original letter, it is unclear what issues remain in dispute. Accordingly, the Court hereby VACATES the March 26, 2009 hearing. The parties shall meet in confer in person and, if any dispute remains, file an updated joint letter. Prior to any meet and confer session, the parties should be aware that the Court has reviewed the case to which both parties cite, *First Pacific Network v. Atlantic Mutual Ins. Co.*, 163 F.R.D. 574 (N.D. Cal. 1995), and finds that no waiver of the attorney-client privilege has occurred.

IT IS SO ORDERED.

Dated: March 25, 2009



MARIA ELENA JAMES
United States Magistrate Judge